

REMARKS

Applicant appreciates the Examiner's thorough consideration provided in the present application. Claims 1-9 are currently pending in the instant application. Claims 1 and 6-9 have been amended to clarify that the pointer indicates a location at which image data is stored and the output server obtains material data by accessing the image data stored at a location indicated by the pointer. These limitations are non-narrowing in nature and were implicitly present in the claims as originally filed. Claims 1 and 6-9 are independent. Reconsideration of the present application is earnestly solicited.

Priority

Applicant appreciates the Examiner's indication of receipt of the corresponding priority document for the present application.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-4 and 7-9 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Dane et al. (WO 99/19811). Claims 6-9 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Fredlund et al. (U.S. Patent No. 5,666,215). This rejection is respectfully traversed.

In light of the foregoing amendments to the claims, Applicant submits that this rejection has been obviated and/or rendered moot. Without conceding the propriety of the Examiner's rejections, but merely to expedite the prosecution of the present application, Applicant has amended claim 1 to clarify the claimed invention for the benefit of the Examiner. Specifically, Applicant submits that the prior art of record fails to teach or suggest each and every element of the unique combination of elements of the claimed invention of the claims.

For example, Applicant submits that the prior art of record fails to teach or suggest the unique combination of elements of claim 1, including the feature(s) of: "at least one output server for outputting the material data based on the order information provided from the client or clients, the order information including *a pointer for indicating a storage location of the material data other than the output server or output servers; and the output server or output servers obtaining the material data by accessing the storage location other than the output server or output servers based on the pointer included in the order information.*" (Emphasis added) Accordingly, these rejections should be withdrawn.

Applicant submits that the prior art of record fails to teach or suggest the unique combination of elements of claim 6, including the feature(s) of: "A computer-readable recording medium storing order information for ordering output of material data, the order information including *a pointer for indicating a storage location of the material data.*" (Emphasis added) Accordingly, these rejections should be withdrawn.

Applicant submits that the prior art of record fails to teach or suggest the unique combination of elements of claim 7, including the feature(s) of: "outputting material data according to order information including *a pointer for indicating a storage location of the material data,* the order output method comprising the steps of: *obtaining the material data by accessing the storage location based on the pointer included in the order information.*" (Emphasis added) Accordingly, these rejections should be withdrawn.

Applicant submits that the prior art of record fails to teach or suggest the unique combination of elements of claim 8, including the feature(s) of: "*outputting material data according to order information including a pointer for indicating a storage location of the material data,* the order output apparatus comprising: acquisition means for *obtaining the material data by accessing the*

storage location based on the pointer included in the order information."

(Emphasis added) Accordingly, these rejections should be withdrawn.

Applicant submits that the prior art of record fails to teach or suggest the unique combination of elements of claim 9, including the feature(s) of: *"outputting material data based on order information including a pointer for indicating a storage location of the material data, the program comprising the procedures of: obtaining the material data by accessing the storage location based on the pointer included in the order information."* (Emphasis added) Accordingly, these rejections should be withdrawn.

Applicant submits that the prior art of record fail to teach or suggest each and every feature of the claimed invention emphasized hereinabove. Dane et al. describe orders being transmitted to a photofinishing lab 20 and the orders (i.e. printing) being fulfilled in the photofinishing lab 20 (page 6, lines 13-14). However, the photofinishing lab 20 obtains image data by accessing a photographer 16 or an E-Prings™ 10 (relay server) in Dane et al and/or Fredlund et al.

In contrast, a "pointer" indicates a location at which image data is stored in the claimed invention. As described at pages 5-6 of the present application,

the present inventor has determined that in a network photographic service system of the background art,

“a center server for collecting orders from users and transfers the necessary data and order information to the laboratory may be used in some cases. In such a case, the data need to be transferred twice, from the user to the center server, then from the center server to the laboratory. Therefore, data transmission is time-consuming. Especially, in the case where the center server comprises DPE stores and a server for collecting the orders from the DPE stores, the number of data transmission times increases, which leads to a substantially heavy load of data transmission. Moreover, in the laboratory, the large-size data need to be received. Therefore, high data-processing performance is necessary in the case of busy transmission of order information. As a result, installation and maintenance of the system becomes substantially costly.”

Contrary to the above-quoted background art, a pointer, e.g., a URL on the Internet, UNC used in the Windows system, and the like (see page 6 of the present application) is provided for indicating a storage location of the material data in the claimed invention. An output server obtains material data by accessing the image data stored at the location indicated by the pointer. However, Dane et al. or Fredlund et al. do not teach or suggest this feature. Accordingly, this rejection should be withdrawn and the present application should be passed to Issue.

Claim Rejections Under 35 U.S.C. § 103

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Dane et al. in view of Fredlund et al. This rejection is respectfully traversed.

In light of the foregoing amendments to the claims, Applicant respectfully submits that all of the rejections have been obviated and/or rendered moot. Accordingly, these rejections should be withdrawn and the present application should be passed to Issue. Applicant submits that the prior art of record fails to teach or suggest each and every element of the unique combination of elements of the claimed invention. Since Fredlund et al. fails to cure the deficiencies of the rejection to claim 1, the rejection to claim 5 is improper and should be withdrawn.

In the claimed invention, the “pointer” indicates a location at which image data is stored and the output server obtains material data by accessing the image data stored at the location indicated by the pointer. However, Dane et al. or Fredlund et al. do not disclose this feature of the present invention.

As to the dependent claims, Applicant respectfully submits that these claims are allowable due to their dependence upon an allowable independent claim, as well as for additional limitations originally provided by these claims.

CONCLUSION

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but merely to show the state-of-the-art, no further comments are deemed necessary with respect thereto.

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicant therefore respectfully request that the Examiner reconsider all presently pending rejections and that they be withdrawn.

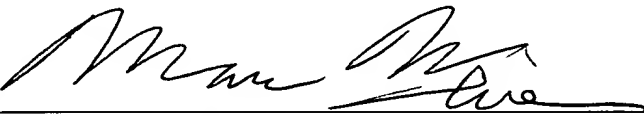
Applicant respectfully petitions under the provisions of 37 C.F.R. § 1.136(a) and § 1.17 for a one-month extension of time in which to respond to the Examiner's Office Action. The Extension of Time Fee in the amount of **\$110.00** is attached hereto.

In the event there are any matters remaining in this application, the Examiner is invited to contact Matthew T. Shanley, Registration No. 47,074 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Marc S. Weiner
Reg. No. 32,181

MSW/MTS/cl

P. O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000